

Hearing Date and Time: April 17, 2018 at 10:00 a.m. (Eastern Time)
Objection Deadline: January 31, 2018 at 4:00 p.m. (Eastern Time)

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS INC., et al.

Debtors.

)
) Chapter 11
)
) Case No. 08-13555 (SCC)
)
) (Jointly Administered)
)

**DECLARATION OF MARK MCKANE IN SUPPORT OF THE LIMITED OBJECTION
OF THE JOINT LIQUIDATORS TO THE MOTION OF THE PLAN ADMINISTRATOR
FOR AN ORDER IN AID OF EXECUTION OF THE MODIFIED THIRD AMENDED
JOINT CHAPTER 11 PLAN OF LEHMAN BROTHERS HOLDINGS INC. AND ITS
AFFILIATED DEBTORS**

I, Mark McKane, pursuant to 28 U.S.C. § 1746, declare as follows.

1. I am an attorney with the law firm of Kirkland & Ellis LLP, attorneys of record in this matter for Bruce Alexander Mackay and Matthew Robert Haw of RSM Restructuring Advisory LLP (the “*Joint Liquidators*”). I respectfully submit this declaration in support of the *Limited Objection of the Joint Liquidators to the Motion of the Plan Administrator for an Order in Aid of Execution of the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors* (the “*Limited Objection*”), filed by LBHI in these chapter 11 cases on November 21, 2017.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Limited Partnership Agreement establishing Lehman Brothers UK Capital Funding III LP (“**LP III**”), dated February 17, 2006.

3. Attached hereto as Exhibit 2 is a true and correct copy of the prospectus governing the €500,000,000 Fixed/Floating Rate Enhanced Capital Advantaged Preferred Securities issued by LP III.

4. Attached hereto as Exhibit 3 is a true and correct copy of the letter from LB GP No. 1 Ltd. (the “**General Partner**”) to Lehman Brothers Holdings Inc. (“**LBHI**”), dated January 20, 2009.

5. Attached hereto as Exhibit 4 is a true and correct copy of the letter from LBHI to the General Partner, dated February 24, 2009.

6. Attached hereto as Exhibit 5 is a true and correct copy of the order issued by the High Court of Justice appointing the Joint Liquidators, dated March 31, 2017.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on January 31, 2018, in San Francisco, CA.

/s/ Mark McKane, P.C.
Mark McKane, P.C.